

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**DENNIS LOCK,**

Plaintiff,

v.

**STATE OF CALIFORNIA, et al.,**

Defendants.

**Civ. No. 6:13-cv-2091-MC**

**OPINION AND ORDER**

**MCSHANE, Judge:**

Plaintiff, *pro se*, filed this motion for relief from judgment,<sup>1</sup> ECF No. 21, on June 19, 2014. On January 6, 2014, this Court dismissed plaintiff's complaint *sua sponte* under FRCP 12(b)(6) for failure to state a claim. Pursuant to that order, plaintiff was granted 30 days to cure the deficiencies identified. On February 25, 2014, plaintiff's action was dismissed without prejudice for failure to prosecute. Plaintiff now contends that this Court lacked subject matter jurisdiction to dismiss the action.<sup>2</sup> However, this Court has "original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States." 28 U.S.C. § 1331. Plaintiff asserted six causes of action under "laws . . . of the United States," e.g., 42 U.S.C. § 1983. Accordingly, plaintiff's motion for relief from judgment, ECF No. 21, is DENIED.

IT IS SO ORDERED.

<sup>1</sup> This Court interprets plaintiff's "motion to recuse (acting without jurisdiction), petition grievances (treason by the court)" as a motion under FRCP 60.

<sup>2</sup> To the extent that plaintiff alleges that this Court committed treason, 18 U.S.C. § 2382 does "not provide plaintiff with a private cause of action." Order 4, Jan. 6, 2014, ECF No. 10.

DATED this 28th day of July, 2014.

A handwritten signature in black ink, appearing to read 'McShane', is positioned above a horizontal line.

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**Michael J. McShane**  
**United States District Judge**